

**SAN DIEGO COUNTY CODE
FOOD HANDLERS TRAINING PROGRAM**

SEC. 61.201. FOOD HANDLER.

78; new Section 61.204 added by Ord. No. 5941 (N.S.), effective 12-25-80, operative 6-1-81)

For the purposes of this chapter, "FOOD HANDLER" shall mean any person engaged or employed in a business, occupation or establishment for which a permit is required by Chapter 1 of Division 1 of Title 6 of this Code who handles food in such manner that some portion of his clothing or body or body discharges might come in contact with such food or with the utensils used in connection therewith. Food Handler shall not include, however, those persons engaged or employed in youth organizations, churches, church societies, private clubs or other nonprofit associations of a religious, philanthropic, civic improvement, youth development, social, political, or educational nature which purchase food, food products, or beverages, for service without charge to their members, or for service or sale at a reasonable charge to their members or to the general public at fund-raising events, for consumption on or off the premises at which the food, food products, or beverages are served or sold, if the service or sale of such food, food products or beverages does not constitute a primary purpose or function of the club or association, and if no employee or member is assigned full time to care for or operate equipment used in such an arrangement.

(Amended by Ord. No. 6251 (N.S.), effective 4-8-82)

SEC. 61.202. DIRECTOR.

For the purposes of this chapter, "Director" shall mean the Director of the Department of Environmental Health of San Diego County and his/her designees.

(Amended by Ord. No. 5405 (N.S.), effective 3-22-79, operative 3-23-79; amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95)

SEC. 61.203. DEPARTMENT.

For the purposes of this chapter, "DEPARTMENT" shall mean the San Diego County Department of Environmental Health.

(Amended by Ord. No. 5405 (N.S.), effective 3-22-79, operative 3-23-79; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95)

SEC. 61.204. FOOD SERVICE MANAGER.

For the purposes of this chapter, "FOOD SERVICE MANAGER" shall mean the owner, operator, licensee, or any other person who supervises all or part of food service operations within a food service establishment and is responsible for the actions of employees under his or her charge.

(Section 61.204, titled Food Handler Required to Have Authorization, repealed by Ord. No. 5159 (N.S.), effective 6-8-

SEC. 61.205. FOOD HANDLER TRAINING.

No person shall act as or be engaged as a food handler unless such person: (1) possesses a valid Food Handler Training Certificate as described in subdivision (a) of this section, or (2) is working in an establishment under the supervision of a food service manager possessing a Food Service Manager Training Certificate as described in subdivisions (b) and (c) of this section, and possess a Food Handler Card as described in subdivision (d) of this section; provided, however, that a person may act as or be engaged as a food handler under the supervision of such a food service manager for up to ten (10) calendar days without a Food Handler Card.

- (a) Food Handler Training Certificate. Food Handler Training Certificates or renewals thereof shall be issued by the Director, or any other qualified person or agency as may be designated by the Director, to persons who, immediately preceding such issuance, have successfully completed a food sanitation training course having a duration of at least three (3) hours, taught by an instructor approved by the Director, and having a course content approved by the Director. In order to successfully complete said course, a person must pass a proficiency test, approved by the Director, with at least a 70% grade. The course of instruction shall include at least the following subjects:

- (1) Microorganisms;
- (2) Sources of foodborne disease microorganisms;
- (3) Foodborne diseases;
- (4) The means by which food is contaminated by microorganisms and toxic substances;
- (5) Methods for protection of food to prevent foodborne illnesses;
- (6) Control of the spread of disease through food;
- (7) Person hygiene for food handlers;
- (8) The role of utensils and equipment in the transmission of diseases; and
- (9) Dishwashing procedures.

The Director's designation of persons or agencies to issue Food Handler Training Certificates and the Director's approval of instructors and course contents may be withdrawn by the Director at any time. The Food Handler Training Certificate shall be valid for three (3) years from the date of issuance.

(b) Food Service Manager Training Certificate. A Food Service Manager Training Certificate shall be issued by the Director, or by a person or agency authorized by the Director, to any person who has (1) attended a food service manager's training course, having a duration of at least 16 hours, taught by an instructor approved by the Director, and has passed a test as described in subsection (c) below or has passed a proficiency test, approved by the Director, with at least a 70% grade. The course of instruction shall include at least the following subjects:

- (1) Microbiology of foodborne disease;
- (2) Methods of preventing foodborne diseases;
- (3) Personal sanitation practices;
- (4) Warewashing and sanitizing;
- (5) Housekeeping and waste disposal practices;
- (6) Food purchasing, transportation, receiving and storage;
- (7) Food preparation and use;
- (8) Sanitation of kitchens;
- (9) Dining service;
- (10) Legal regulations of the food industry; and
- (11) Sanitation and safety management.

Upon application and proof of possessing a valid State registration, a Registered Sanitarian and Registered Dietician may be issued a Food Service Manager Training Certificate.

The Director's designation of persons or agencies to issue Food Service Manager Training Certificates and the Director's approval of instructors course contents and proficiency tests may be withdrawn by the Director at any time. The Food Service Manager Training Certificate shall not expire by passage of time.

(c) Food Protection Certificate. A Food Protection Certificate indicating passage of a test administered and developed by The Center for Occupational and Professional Assessment (COPA) of the Educational Testing Service (ETS) or any other food service certification indicating passage of a test found to be equivalent by the Director, may be accepted in lieu of obtaining a Food Service Manager Training Certificate.

(d) Food Handler Card. A Food Handler Card or a renewal thereof, in a form prescribed by the Director, may be issued by a food service manager possessing a Food Service Manager Training Certificate to food handlers under the manager's supervision, provided said food handlers pass a test relating to fundamental principles

of sanitary food services practices, with at least a 70% grade. Said test shall be prepared by the Director based on information contained in an informational booklet on sanitary food practices, which shall also be prepared by the Director and which shall be distributed at cost by the Director. Test records and records of the duration of the food handler's employment, including the date that the food handler began to perform food handling services, shall be maintained on the premises where the food handler is performing such services. The Food Handler Card shall be valid for three years from the date of issuance, or until the food handler's performance of food handling services at the establishment where the Card was issued ceases, or until the expiration of sixty (60) days from the date that the establishment ceases to have a food service manager possessing a Food Service Manager Training Certificate to supervise the food handler, whichever occurs the earliest.

(e) The Director may issue a renewal of a Food Handler Training Certificate provided that the holder of such certificate successfully passes the examination provided by the Director by a score of 80%. These renewals shall be for a period of three years and shall be given by persons designated by the Director. In the event that an applicant for renewal fails to pass the renewal test, he or she may not receive a renewal of the Food Handler Certificate until he or she successfully completes a 3-hour course of instruction as required in Section 61.205(a) for the issuance of a Food Handler Certificate.

(Section 61.205, titled Employment of Food Handlers, repealed by Ord. No. 5159 (N.S.), effective 68-78; new Section 61.205, titled Food Handler Training, added by Ord. No. 5941 (N.S.), effective 12-25-80, operative 6-1-81; subdivision (d) added by Ord. No. 6791 (N.S.), effective 7-12-84; amended by Ord. No. 6962 (N.S.), effective 6-20-85; amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95)

SEC. 61.205.5. LICENSED HOSPITAL EMPLOYEES.

Persons engaged or employed as food handlers in acute care hospitals, acute psychiatric hospitals, skilled nursing facilities, intermediate care facilities, small intermediate care facilities/developmentally disabled habilitative facilities, special hospitals, and acute care/rehabilitation hospitals licensed by the State of California, who meet State requirements pertaining to food handler training, shall be deemed to be in compliance with the requirements of Section 61.205.

(Added by Ord. No. 6166 (N.S.), effective 10-22-81)

SEC. 61.206. EMPLOYMENT OF FOOD HANDLERS.

No person who owns or operates a business, occupation or establishment for which a permit is required by Chapter 1 of Division 1 of this Title 6 shall permit or authorize any person to act as or be engaged as a food handler in said business, occupation or establishment unless such person is legally

permitted to act as or be engaged as a food handler pursuant to Section 61.205 or Section 61.205.5.

(Section 61.206, titled Testing for Tuberculosis, repealed by Ord. No. 5159 (N.S.), effective 68-78; new Section 61.206, titled Employment of Food Handlers, added by Ord. No. 5941 (N.S.), effective 12-25-80, operative 6-1-81; amended by Ord. No. 6166 (N.S.), effective 10-22-81)

SEC. 61.206.5. FOOD HANDLER RECORDS.

The owner or operator of any business, occupation, or establishment employing food handlers shall maintain on the premises of such business, occupation, or establishment a list of all food handlers and food service managers employed therein. In addition, the owner or operator shall maintain copies of the Food Handler Training Certificates, Food Handler Cards, and Food Service Manager Training Certificates of each food handler or food service manager employed at the facility. All such records shall be made available to the Director or his representative, upon request, at all times the establishment is open for business.

(Added by Ord. No. 6166 (N.S.), effective 10-22-81; amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 8477 (N.S.), adopted 11-8-94, operative 1-1-95)

SEC. 61.207. TRANSMISSIBLE DISEASE.

No person who has contracted or is afflicted with a disease or infection determined by the Director to be a danger to public health transmissible either directly or through food or drink to other persons, or who is known or suspected to be a carrier of organisms causing such disease, or who has come in contact with any person afflicted with such communicable disease or infection, shall act or be engaged or employed as a food handler.

SEC. 61.208. TRANSMISSIBLE DISEASE -- MEDICAL EXAMINATION -- EXCLUSION.

Whenever information that the possibility of transmission of disease determined by the Director to be a danger to public health exists in a food handler or in any business, occupation or establishment for which a permit is required by Chapter 1 of Division 1 of Title 6 of this Code is presented to the Director, he shall investigate conditions and take appropriate action. The Director may, after investigation, and for reasonable cause, require any of the following measures to be taken:

- (a) The immediate exclusion by the Director of any food handler from the affected business, or establishment.
- (b) The immediate closing of any affected business or establishment until, in the opinion of the Director, no further danger of the outbreak of disease exists.
- (c) Medical examination of the owner, employee, and his co-employees, with such laboratory examination as may be indicated; or should such examination or examinations be refused, then the immediate exclusion of the refusing owner, employee or co-employee from that or any other food establishment operation, until a medical or laboratory examination shows that the person is not infected with, or a carrier of, any such disease in a communicable form.